

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

|                            |   |                          |
|----------------------------|---|--------------------------|
| Cousins Submarines, Inc.,  | ) |                          |
|                            | ) |                          |
| Plaintiff,                 | ) |                          |
|                            | ) |                          |
| v.                         | ) | <b>NOTICE OF REMOVAL</b> |
|                            | ) |                          |
| Federal Insurance Company, | ) |                          |
|                            | ) |                          |
| Defendant.                 | ) |                          |

Defendant Federal Insurance Company ("Federal"), by and through its attorneys, David A. Westrup, Janet R. Davis and Gary L. Gassman, pursuant to 28 U.S.C. §1446, 28 U.S.C. §1332(a) and 28 U.S.C. §1441, *et seq.*, hereby submits this Notice of Removal of this action from the Circuit Court of Waukesha County, Wisconsin, wherein it is now pending, to the United States District Court for the Eastern District of Wisconsin. In support of this Notice of Removal, Federal states as follows:

1. Federal has been named the defendant in the action filed on March 19, 2012 in the Circuit Court of Waukesha County, Wisconsin, Case No. 12-CV-00939 styled *Cousins Submarines, Inc. v. Federal Insurance Company*.

2. In accordance with 28 U.S.C. §1446(a), attached as Exhibit A is a copy of the summons and complaint filed in the Circuit Court of Waukesha County, Wisconsin. These documents constitute all pleadings and orders which Federal has received.

3. Federal was served with the summons and complaint on March 28, 2012.

4. Accordingly, this Petition for Removal was timely filed within thirty (30) days after Federal received notice of the complaint.

5. No further proceedings have been completed in the subject action.

6. The subject action is a civil action over which this court has original jurisdiction pursuant to 28 U.S.C. §1332(a) (Diversity of Citizenship), and is one which may be removed to this court by Federal pursuant to the provisions of 28 U.S.C. §1441. These provisions are met because this action is a civil action between citizens of different states and the amount in controversy exceeds the sum or value of \$75,000 exclusive of interest and costs.

7. Plaintiff Cousins Submarines, Inc. is a Wisconsin corporation with its principal place of business in Wisconsin.

8. Defendant Federal is an Indiana corporation with its principal place of business in New Jersey.

9. Written notice of the filing of this Notice of Removal has been served upon plaintiff.

10. A Notice stating that this matter has been removed to the United States District Court for the Eastern District of Wisconsin has been filed with the Clerk of the Circuit Court of Waukesha County, Wisconsin.

Dated: April 27, 2012

By: /s/ David A. Westrup

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